



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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May 21, 2013

To: Supervisor Mark Ridley-Thomas, Chairman  
Supervisor Gloria Molina  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

## SACRAMENTO UPDATE

### Executive Summary

This memorandum contains reports on the following:

- **Pursuit of Position to Support State Budget Trailer Bill Language.** This language, released as part of the May Budget Revision, would stipulate that a person released from State prison who is certified as a Mentally Disordered Offender (MDO) but whose certification as a MDO is subsequently decertified by a court remains on parole supervision. Unless otherwise directed by the Board, consistent with existing policy to support legislation that would prohibit the State from releasing a prison inmate to Post-Release Community Supervision under AB 109 (Chapter 15, Statutes of 2011) if that inmate has been previously designated a Mentally Disordered Offender, **the Sacramento advocates will support the State Budget Trailer Bill Language related to MDOs.**
- **Pursuit of Position to Support AB 574 (Lowenthal).** This measure would create the Sustainable Communities Infrastructure Program to fund sustainable communities strategies and equivalent greenhouse gas reducing strategies using cap-and-trade auction revenues. Unless otherwise directed by the Board, consistent with existing policies to support funding to assist local government compliance with existing and pending regulations to reduce emissions from both mobile and fixed sources, **the Sacramento advocates will support AB 574.**

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### **Pursuit of Position on State Budget Trailer Bill Language**

As part of the May Budget Revision, the Administration released trailer bill language which would stipulate that a person released from State prison who is certified as a Mentally Disordered Offender (MDO) but whose certification as a MDO is subsequently decertified by a court remains on parole supervision.

As a result of the 2011 Public Safety Realignment and AB 109, which transferred responsibility for certain offenders from the State to counties, individuals who are certified as a MDO at the time of release from State prison are not eligible for county supervision under Post-Release Community Supervision (PRCS). However, since the implementation of AB 109 in October 2011, a number of individuals who were certified as a MDO upon release from prison and placed in a State Hospital for mental health treatment have been subsequently decertified by a court while undergoing treatment and transferred to county probation under PRCS.

The Mentally Disordered Offender population Los Angeles County has received since implementation of AB 109 requires consistent and specialized treatment services as well as intensive supervision. In certain cases, a decertified MDO has been dropped off at a Probation office with no notice and little information as to their mental health state, recent treatment plans and medications, and behavioral issues. Having adequate notice and access to pertinent information is critical to prepare a suitable supervision plan and to ensure that mental health services and housing are in place for the individual upon arrival in the community. With limited to no notice of transfer to county probation departments and inconsistent sharing of mental health data, the opportunity to realize appropriate transition planning is lost and continuity of mental health treatment is jeopardized.

As a result of the above mentioned concerns and consistent with existing policy, the County sponsored AB 1065 by Assembly Member Holden, which was introduced on February 22, 2013, would require individuals with prior certifications as a MDO to remain under parole supervision upon release from State prison and a State Hospital. **County-sponsored AB 1065** is currently in the Assembly Public Safety Committee awaiting reconsideration.

Therefore, unless otherwise directed by the Board, consistent with **County-sponsored AB 1065** and existing policy to support legislation that would prohibit the State from releasing a prison inmate to Post-Release Community Supervision under AB 109 (Chapter 15, Statutes of 2011) if that inmate has been previously designated a Mentally

**Disordered Offender, the Sacramento advocates will support the proposed State Budget Trailer Bill Language that would stipulate that an individual certified as a Mentally Disordered Offender whose certification is subsequently decertified by a court remains on State parole supervision.**

### **Pursuit of County Position on Legislation**

**AB 574 (Lowenthal)**, which as amended on April 15, 2013, would: 1) require the California Air Resources Board (CARB), in consultation with the California Transportation Commission (CTC) and the Strategic Growth Counsel, to establish standards for the use of moneys allocated from the Greenhouse Gas Reduction Fund for sustainable communities projects and to establish the criteria for the development and implementation of regional grant programs; and 2) require the CTC, in consultation with CARB, to designate the regional granting authorities to administer the allocated moneys for regional grant programs.

Existing law requires all moneys, except for fines and penalties, collected by the CARB from the auction or sale of allowances as part of a market-based compliance mechanism (i.e., the cap-and-trade program) to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law also requires the Department of Finance, in consultation with the CARB and any other relevant State agency, to develop a three-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund.

AB 574 would create the Sustainable Communities Infrastructure Program to fund sustainable communities strategies and equivalent greenhouse gas (GHG) reducing strategies using cap-and-trade auction revenues. The measure designates the following as eligible uses of program funds: 1) transportation network and demand management, including, but not limited to, trip-reduction programs, congestion pricing, and roadway modifications, such as roundabouts; 2) public transportation, including operations, maintenance, and capital costs; 3) road and bridge maintenance; operations and retrofits for complete streets, bike, and pedestrian safety enhancements; safe routes to schools; and urban greening; 4) clean transportation fueling infrastructure and support; 5) multi-modal network connectivity to reduce travel distances and improve access to parks, schools, jobs, housing, and markets for rural and urban communities, including neighborhood scale planning; 6) development and adoption of local plans and land use policies that help to implement regional plans; 7) community infrastructure, including public works and municipal improvements necessary to support transit-oriented development, affordable housing, infill in existing urbanized areas, and small walkable communities in rural neighborhoods; 8) multi-use facilities and accommodations for bicyclists, pedestrians, and neighborhood electric vehicles;

9) interregional rail modernization and related community infrastructure; and  
10) administrative costs and development and use of evaluation, monitoring, and verification systems.

The Department of Public Works (DPW) reports that for FY 2012-13, cap-and-trade auctions are estimated to generate roughly \$660.0 million to upwards of \$3.0 billion, and that the Governor's FY 2012-13 January Proposed Budget assumes that the State will receive \$1.0 billion from such auctions. Of this amount, the Administration assumes that \$500.0 million will be used to offset existing State General Fund costs of current GHG mitigation activities, and the remaining revenues will be used on new or expanded programs intended to reduce GHG emissions.

The Department of Public Works indicates that, as the agency responsible for the development of the regional transportation plan that includes Los Angeles County, the Southern California Association of Governments (SCAG) would likely be designated as the regional granting authority to administer moneys locally under AB 564. SCAG could then use the funding to create grant opportunities for bikeway, transit, pedestrian and other transportation projects. DPW reports this could provide critical funding for traffic signal synchronization on arterial routes, Intelligent Transportation Systems to reduce traffic congestion, expansion of County-operated fixed route public transit shuttle services or the purchase of new transit busses, transportation projects such as urban greening and complete streets, pavement rehabilitation needs throughout the County, and construction of bikeways identified in the County's Bikeway Master Plan.

The Department of Public Works and this office support AB 574. Therefore, unless otherwise directed by the Board, consistent with existing policy to support funding to assist local government compliance with existing and pending regulations to reduce emissions from both mobile and fixed sources, **the Sacramento advocates will support AB 574.**

AB 574 is supported by: The California State Association of Counties; California Transit Association; County of Napa; Environmental Defense Fund; Marin County Board of Supervisors; Natural Resources Defense Council; Riverside Transit Agency; Sacramento Metropolitan Air Quality Management District; San Diego Association of Governments; Santa Clara County Board of Supervisors; Southern California Association of Governments; and Urban Counties Caucus, among others. The measure is opposed by: The California Chamber of Commerce; California League of Food Processors; California Manufacturers and Technology Association; California Taxpayers Association; and Western States of Petroleum Association.

Each Supervisor  
May 21, 2013  
Page 5

AB 574 was placed in the Assembly Appropriations Committee Suspense File on May 15, 2013.

We will continue to keep you advised.

WTF:RA  
MR:KA:AO:ma

c: All Department Heads  
Legislative Strategist  
Local 721  
Coalition of County Unions  
California Contract Cities Association  
Independent Cities Association  
League of California Cities  
City Managers Associations  
Buddy Program Participants